



UNITED STATES MARINE CORPS  
MARINE FORCES RESERVE  
2000 OPELOUSAS AVENUE  
NEW ORLEANS, LA 70114-5400

IN REPLY REFER TO  
5041  
DIG  
13 AUG 2020

From: Deputy, Command Inspector General  
To: Commander, Marine Forces Reserve

Subj: MARINE FORCES RESERVE HOTLINE COMPLETION REPORT; MARFORRES CASE #22224

Ref: (a) MCO 5430.1A  
(b) MCO 5370.8A  
(c) Marine Corps Inspector General Program Investigations Guide, Aug 2009  
(d) 18 U.S. Code, Section 1001 (False Statements)  
(e) SECNAVINST 12752.1A  
(f) Force Order 12600.2, Civilian Time and Attendance  
(g) Force Order 12620.1A, Alternative Work Schedule Program

Encl: (1) Original Complaint dtd 18 NOV 2019  
(2) Overview of data compilation and calendar  
(3) SLDCADA Employee Hours report on GS-11 Gareth Hatley from 19 NOV 2018 to 19 NOV 2019  
(4) GS-11 Gareth Hatley's Building Access Reports from 19 NOV 2018 to 19 NOV 2019  
(5) (b)(6), (b)(7)c (complainant) interview dtd 14 JAN 2020  
(6) GS-11 Gareth Hatley's TDY Travel records from 19 NOV 2018 to 19 NOV 2019  
(7) GS-11 Gareth Hatley's Government Cell-phone data on specific dates between 28 FEB 2018 to 19 NOV 2019  
(8) GS-11 Gareth Hatley's Position Description  
(9) GS-11 Gareth Hatley's CWS Participation Form dtd 6 MAY 2013  
(10) MFR 2018 Civilian Training Roster; EEO/DTS/New Time Card System and Ethics Training  
(11) MFR 2019 Civilian Training; EEO and Labor Relations  
(12) Comptroller Timekeeper Leave Balance Reports  
(13) Interview with (b)(6), (b)(7)c dtd 16 JAN 2020  
(14) Interview with (b)(6), (b)(7)c dtd 16 JAN 2020  
(15) Interview with (b)(6), (b)(7)c dtd 16 JAN 2020  
(16) Interview with (b)(6), (b)(7)c dtd 16 JAN 2020  
(17) Interview with (b)(6), (b)(7)c dtd 16 JAN 2020  
(18) Interview with (b)(6), (b)(7)c dtd 21 JAN 2020  
(19) Interview with (b)(6), (b)(7)c dtd 17 JAN 2020  
(20) Interview with (b)(6), (b)(7)c dtd 23 JAN 2020  
(21) Interview with (b)(6), (b)(7)c dtd 27 JAN 2020  
(22) Interview with (b)(6), (b)(7)c dtd 28 JAN 2020  
(23) Interview with (b)(6), (b)(7)c dtd 28 JAN 2020  
(24) Interview with (b)(6), (b)(7)c dtd 28 JAN 2020  
(25) Interview with (b)(6), (b)(7)c dtd 28 FEB 2020  
(26) Recall interview with (b)(6), (b)(7)c dtd 28 JAN 2020  
(27) Interview with (b)(6), (b)(7)c dtd 2 MAR 2020  
(28) Interview with GS-11 Gareth Hatley dtd 4 JUN 2020  
(29) Facilities Org Charts from Hatley, date unk  
(30) Statement from (b)(6), (b)(7)c, from Hatley date unk  
(31) Recall interview with (b)(6), (b)(7)c dtd 22 JUN 2020

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- (32) Facilities Org Chart circa 2019
- (33) email "TIMECARD APPROVERS" dtd 29 OCT 2018
- (34) (b)(5), (b)(7)c email "GS Employee Work Schedules" dtd 29 MAR 2018
- (35) Hatley Advance Leave Requests: JUL2013, APR2017, SEP2017, APR2018
- (36) GS-11 Gareth Hatley's Granted Access Reports from 1 DEC 2019 to 31 MAR 2020
- (37) Recall interview with GS-11 Gareth Hatley dtd 25 JUN 2020
- (38) Work emails provided by Hatley dtd 30 & 31 JUL 2019
- (39) Email from (b)(6), (b)(7)c to Hatley IRT Quarters A 8 JUL 2019
- (40) Email from Comptroller ref Time Card Corrections 9 JUL 2019
- (41) Past Performance Ratings/Awards provided by Hatley
- (42) Days worked while off-duty provided by Hatley
- (43) GS-11 Gareth Hatley's endorsed Time sheets from 19 NOV 2018 to 19 NOV 2019
- (44) GS-11 Gareth Hatley's Front Gate Access Reports from 19 NOV 2018 to 19 NOV 2019

1. Scope of Inquiry:

a. On 18 November 2019, the Office of the Command Inspector General (CIG), Marine Forces Reserve (MARFORRES), received a third-party IG Hotline Complaint alleging Mr. Gareth Hatley from Facilities committed time & attendance fraud, as outlined in enclosure (1). In addition, the complaint alleged a possible conflict of interest where Mr. Hatley is the Contracting Officer's Representative (COR) for the Cherokee Contract, in which his wife is employed under her maiden name and only worked approximately 30 days in the last 5 years. These allegations were discovered and reported by MCCA during contractor (b)(6), (b)(7)c exit from employment in October 2019 due to expiration of (b)(6), (b)(7)c contract.

b. After an initial analysis of the complaint and a review of enclosures (3) and (4) by the Command Investigator (b)(6), (b)(7)c it was determined that the allegation of time and attendance fraud was substantive enough to warrant further investigation. The allegation of possible conflict of interest relating to spousal employment and special treatment was not supported; Mr. Hatley's spouse was employed as a contractor prior to Mr. Hatley becoming a COR of a different contract and the performance of her position was measured by deliverables vice time and attendance. His spouse was permitted to work from home and come to the office as necessary. To further corroborate the third party complaint, (b)(6), (b)(7)c the initial complainant, was interviewed in order to validate comments and identify other witnesses to interview, enclosure (5).

c. A review of the SLDCADA Bi-weekly Time and Attendance (timecards) from 19 NOV 2018 to 19 NOV 2019 and the building / compound access records identified discrepancies where the subject claimed to be at work and when he actually accessed the compound. Inconsistencies were then analyzed against Temporary Duty (TDY) travel records and government cell phone location data, enclosures (6) and (7) respectively. The request for cell phone data was focused on specific days and not the full period of dates investigated, where questionable combinations of holidays, a full day of work was claimed with no door scan, and/or excessive leave was taken.

d. Initially, MCEN (network) login records were requested from MARFORCYBER in order to validate actual work hours, but after a

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misunderstanding of what was actually requested and the realization that the network data would not suffice due to the subject's atypical work off-site, cell phone data was deemed more appropriate to pinpoint his location. In some instances, cell phone data was inconclusive.

d. This report was delayed due to the coordination timeline in receiving the various types of data requested and the multiple attempts to contact the subject's previous supervisors. Attempts were made to interview (b)(6), (b)(7)c, the Deputy of Facilities, and (b)(6), (b)(7)c, the Facilities Manager under the Installations Operations Branch. Both of these employees retired in December 2019 and neither were willing to be interviewed on this matter. In addition, the COVID-19 effect on coordinating a face-to-face interview with the subject further delayed the report.

e. Mr. Hatley was notified as a subject of this investigation on 16 Jan 2020. All interviews were conducted either telephonically or face-to-face with the Command Investigator and the Deputy, CIG MARFORRES at the Home Training Center.

f. Other relevant witnesses include:

(b)(6), (b)(7)c

## 2. Allegations:

a. Allegation #1: GS-11 Gareth W. Hatley, Facility Analyst, MARFORRES, New Orleans, LA, knowingly falsified his SLDCADA Bi-Weekly Time & Attendance Sheets in violation of 18 U.S. Code §1001 (False Statements), from 19 November 2018 to 19 November 2019.

b. Allegation #2: GS-11 Gareth W. Hatley, Facility Analyst, MARFORRES, New Orleans, LA, habitually abused his authorized Compressed Work Schedule (4-10 Schedule) by arriving late for work (unexcused tardiness) and leaving work early without proper authorization (unauthorized absence) in violation of SECNAVINST 12752.1A, Enclosure 3, from 19 November 2018 to 19 November 2019.

c. Allegation #3: GS-11 Gareth W. Hatley, Facility Analyst, MARFORRES, New Orleans, LA, knowingly abused his sick leave in violation of ForO 12600.2, from 19 November 2018 to 19 November 2019.

## 3. Facts, Analysis, and Findings:

a. Allegation #1: GS-11 Gareth W. Hatley, Facility Analyst, MARFORRES, New Orleans, LA, knowingly falsified his SLDCADA Bi-Weekly Time & Attendance Sheets in violation of 18 U.S. Code §1001 (False Statements), from 19 November 2018 to 19 November 2019.

(1) Findings of Fact.

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(a) Mr. Hatley is the Facilities Maintenance Manager and a COR, Facilities Department, MARFORRES, New Orleans, LA. From 2013 to 2018, he was a Facilities Analyst. [Encl (8), (32)]

(b) Mr. Hatley's assigned schedule is four 10 hour days commencing at 0700, with a Regular Day Off (RDO) on Monday; his RDO changed to Friday in May 2019 to offset (b)(6),(b)(7)c RDO when he was reassigned to MILCON and Mr. Hatley took over his position of Facilities Maintenance Manager. [Encl (9), (25)]

(c) Per enclosures (3), (4), (7), (43), and (44) Mr. Hatley's timecards claim he was at work during the following 22 periods for which there is no evidence that he entered the building:

20 November	2018	10 hours	*in conjunction with RDO
23 November	2018	10 hours	*in conjunction with holiday
27 November	2018	10 hours	*in conjunction with RDO
28 November	2018	10 hours	
28 December	2018	10 hours	*in conjunction with leave/ RDO/ holiday
02 January	2019	05 hours	*5hrs leave after holiday
04 January	2019	10 hours	*5hrs leave previous day
05 February	2019	10 hours	*in conjunction with RDO
08 February	2019	10 hours	*in conjunction with weekend
15 February	2019	10 hours	*in conjunction with weekend/ holiday/ RDO
28 February	2019	10 hours	*cell data at home
15 March	2019	10 hours	*cell data at home
12 April	2019	10 hours	*cell data at home
23 April	2019	04 hours	*4hrs sick leave, 2hrs annual
25 April	2019	10 hours	
28 May	2019	10 hours	*in conjunction with holiday
17 June	2019	10 hours	*in conjunction with weekend
20 June	2019	10 hours	*in conjunction with RDO
03 July	2019	10 hours	*in conjunction with holiday & RDO
30 July	2019	10 hours	*cell data at Biloxi Beach
31 July	2019	10 hours	*cell data at Biloxi Beach
18 November	2019	10 hours	*cell data at home/ golf club

(d) Per enclosure (6), Mr. Hatley was not TAD during any of the above periods.

(e) Mr. Hatley has maintained a low balance of both annual and sick leave, resulting in multiple requests for advance annual and sick leave in 2016, 2017, and 2018. [Encl (12), (35)]

(f) Mr. Hatley provided enclosure (30), an undated signed statement from (b)(6),(b)(7)c his claimed supervisor, as evidence approving him to work remotely (telework) and that his supervisor was aware of his schedule. Mr. Hatley said he received the letter on/or about 3 December 2019, prior to (b)(6),(b)(7)c retirement.

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(g) (b)(6) was contacted twice in February 2020 for an interview, he declined. (b)(6), (b)(7)c retired in December 2019 and had no obligation as a civilian to interview.

(h) Mr. Hatley stated that he never worked for anyone else except (b)(6), (b)(7)c while a Federal employee, having been his supervisor since 2013. He provided an undated power-point "MFR FAC" organizational chart as evidence that he worked directly for (b)(6), (b)(7)c. He was very adamant that he did not work for Operations or anyone else. [Encl (28), (29)]

(i) (b)(6) AC/S Facilities, confirmed the organizational chart in enclosure (29) was valid from 2013 up until 2019, when changes were implemented as depicted in enclosure (32). In both charts, Mr. Hatley worked for (b)(6), (b)(7)c Resources & Support Section, and (b)(6), (b)(7)c, Installations Operations Branch, respectively. [Encl (25), (31)]

(j) Although Mr. Hatley is depicted beneath other supervisors on the organization charts, (b)(6), (b)(7)c maintained the supervisor role to write his performance evaluations, manage his time & attendance, and approve his leave. (b)(6), (b)(7)c was his Higher Level Reviewer (HLR). [Encl (19), (22), (25), (33), (43)]

(k) Witnesses believe (b)(6), (b)(7)c may have permitted Mr. Hatley to work from home for recovery from sinus surgery, and for having a new baby. Mr. Hatley mentioned that he requested more time off because his daughter had a lot of health issues as well. [Encl (14), (21), (22), (27), and (28)]

(l) A reliable witness stated that quite often during daily morning meetings with (b)(6), (b)(7)c he overheard the incoming call from Mr. Hatley requesting time away from work. He felt (b)(6), (b)(7)c gave in kindness as a weakness and that Hatley took advantage, thus abusing leave policy. [Encl (21)]

(m) No official documentation could be located in the Facilities, Comptroller, or Civilian Management offices authorizing Mr. Hatley to conduct telework. Required telework training, upon approval, could not be located either. Additionally, (b)(6), (b)(7)c stated that (b)(6), (b)(7)c never authorized Mr. Hatley to conduct telework and was not aware of any personnel in Facilities permitted to telework prior to COVID-19. [Encl (27), (31)]

(n) (b)(6), (b)(7)c stated that the telework option was never proposed to her IRT Hatley and that the building maintenance supervisor position is not an eligible billet for telework. [Encl (27)]

(o) Per enclosure (34), Facilities provided an email to civilian employees on 29 March 2018 implementing guidance to tighten up the work schedule/time card processes, inclusive of working remotely. Each request for working remote requires section heads to inform both the Deputy and Facility Operations. Additionally, section heads must get AC/S, Facilities approval when working remote more than one day at a time or 2 days in any given week.

(p) In response to the cell phone data showing Mr. Hatley's location at Biloxi Beach on 30-31 July 2019, he provided work emails to show he was working. The emails were sent by Blackberry, which does not show

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physical presence at work. Mr. Hatley stated that it was highly probable (b)(6), (b)(7)c gave him a few compensatory (comp) days for being part of the Crisis Action Team (CAT) that was activated in response to Tropical Storm Barry from 11 to 14 July 2019. This was a 24 hour responsibility each day, which encompassed his RDO and the weekend. [Encl (38)]

(q) (b)(6), (b)(7)c Protection Division, confirmed that Mr. Hatley was activated with the CAT in response to TS Barry from 11 to 14 July 2019.

(r) In response to the cell phone data showing Mr. Hatley's location at the Stonebridge Golf Club on 18 November 2019, there was no record of his attendance at the club for that day. This cell tower is also close to his home address.

(s) The Findings of Fact in allegation #2 are germane to this allegation.

(2) Analysis: The standard for this analysis is preponderance of evidence. For the days where Mr. Hatley claimed a full 10 hours while not physically present, it is probable that (b)(6), (b)(7)c his immediate supervisor, permitted telework as a solution to the continual low leave balances and pattern of advance leave requests. (b)(6), (b)(7)c was ultimately responsible for managing Mr. Hatley's time & attendance, to include telework documentation. With no MARFORRES telework guidance in place, Facilities created their own guidance and yet did not follow in Mr. Hatley's case. Not enough evidence exists to deny that telework was provided, but the lack of paperwork for two comp days in July and the habitual tardiness presented in allegation #2 expresses that Mr. Hatley was aware and knowingly falsified his timecard.

(3) Finding: GS-11 Gareth W. Hatley, Facility Analyst, MARFORRES, New Orleans, LA, knowingly falsified his SLDCADA Bi-Weekly Time & Attendance Sheets in violation of 18 U.S. Code §1001 (False Statements), from 19 November 2018 to 19 November 2019. **SUBSTANTIATED**

b. Allegation #2: GS-11 Gareth W. Hatley, Facility Analyst, MARFORRES, New Orleans, LA, habitually abused his authorized Compressed Work Schedule (4-10 Schedule) by arriving late for work (unexcused tardiness) and leaving work early without proper authorization (unauthorized absence) in violation of SECNAVINST 12752.1A, Enclosure 3, from 19 November 2018 to 19 November 2019.

(1) Findings of Fact.

(a) Mr. Hatley's assigned schedule is four 10 hour days commencing at 0700, with a Regular Day Off (RDO) on Monday; his RDO changed to Friday in May 2019 to offset (b)(6), (b)(7)c RDO when he was reassigned to MILCON and Mr. Hatley took over his position of Facilities Maintenance Manager. [Encl (9), (25)]

(b) Mr. Hatley was initially trained on civilian time & attendance during onboarding in 2013, trained on timecards and ethics in 2018, and additional annual training in 2019. [Encl (10), (11)]

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(c) The data in enclosures (4), (7), and (43) depict Mr. Hatley was habitually tardy for work on the following 119 days and, in some cases, departing early from work. Most days he was one to two hours late, with a few days as late as three hours:

20181121, 20181129, 20181130, 20191204, 20191206-07, 20191211-14, 20191218-21, 20190102, 20190103, 20190108-10, 20190115-18, 20190123-25, 20190129-30, 20190206-07, 20190212-14, 20190220-22, 20190226-27, 20190301, 20190312-14, 20190319-21, 20190329, 20190402-05, 20190419, 20190424, 20190426, 20190430, 20190501-03, 20190507-10, 20190514-17, 20190523-24, 20190529-30, 20190603-06, 20190610-11, 20190618-19, 20190627, 20190701-02, 20190708-11, 20190722-25, 20190729, 20190801, 20190805-06, 20190827-29, 20190903-05, 20190909-12, 20190916-19, 20190930, 20191001-03, 20191015-17, 20191028, 20191031, 20191105-07, 20191119

(d) As the Facilities Maintenance Manager, Mr. Hatley must be available 24 hours a day for emergencies. His billet requires him to work at various locations away from MARCORSPTFAC (Quarters A, Belle Chasse, Lafayette) and pick up materials from building supply companies in the area. [Encl (27), (28), (39)]

(e) Mr. Hatley stated that each morning for about an hour to an hour and a half, he conducted "walkthroughs" checking on landscaping, irrigation systems, and buildings in the back prior to entering the building. He stated that would put him at about 0900 as his first scan when entering the building. [Encl (28), (37)]

(f) A comparison of building entry scans against the intermittent front gate scans depicts that Mr. Hatley did not tour the grounds for an hour to an hour and a half on those days he arrived late. [Encl (4), (43)]

(g) Mr. Hatley's office is not in plain-view of his supervisor, leadership, or the operations officer. [Encl (20)]

(h) A reliable witness stated that quite often during daily morning meetings with (b)(6), (b)(7)c he overheard the incoming call from Mr. Hatley requesting time away from work. He felt (b)(6), (b)(7)c gave in kindness for weakness and that Hatley took advantage, thus abusing leave policy. [Encl (21)]

(i) While the (b)(6), (b)(7)c (b)(6), (b)(7)c stated it was difficult to track down Mr. Hatley and that he was 20-40% of the time late to work and left early. [Encl (20), (26)]

(j) Approximately February 2018, (b)(6), (b)(7)c researched Mr. Hatley's timecard issue with (b)(6), (b)(7)c to see what to do about inconsistencies in accountability. He then went to the (b)(6), (b)(7)c (witnessing the conversation), for guidance on rectifying the situation and cleaning up the timecard. (b)(6), (b)(7)c recommended a counseling to Mr. Hatley about correcting his timecard (informal). [Encl (20), (26)]

(k) (b)(6), (b)(7)c conducted an informal discussion with Mr. Hatley about correcting his time & attendance and about accountability. Both (b)(6), (b)(7)c (b)(6), (b)(7)c were aware of the discussion; Mr. Hatley stated he

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does not recall having the discussion and (b)(6), (b)(7)c was not his supervisor, so he could not counsel him. [Encl (15), (20), (21), (26), (27), (28), (37)]

(l) A review of Mr. Hatley's building access from December 2019 to March 2020 depicts he entered the building closer to his official starting time of 0700 for a majority of the time. When confronted about the change in access times above, Mr. Hatley stated his supervisor changed since (b)(6), (b)(7)c retired in December and that his roles changed to focus more on outer-lying sites for contractor oversight. [Encl (36), (37)]

(m) Several witnesses stated that in December 2019 Mr. Hatley mentioned he was being investigated by the IG for time & attendance fraud. Witnesses stated that he received this information informally through Counsel's office. Mr. Hatley was officially notified by this office on 16 January 2020. [Encl (13), (16), (17), (21), (22), (23)]

(n) Per reference (g), Maxiflex is a schedule where an employee can vary arrival and departure times, as well as days, as long as the 80-hour work week is met. The Executive Director is the only approving authority. No official documentation could be located in the Facilities, Comptroller, or Civilian Management offices authorizing Mr. Hatley a maxiflex schedule.

(o) Per the Comptroller, no time & attendance record exists for Mr. Hatley in any compensatory category.

(p) Per reference (f), absence without approval is Absence Without Leave (AWOL) and should not be confused with leave without pay, which is approved leave.

(2) Analysis: The standard for this analysis is preponderance of evidence. Mr. Hatley's billet required him to be on call 24 hours, yet it did not negate his habitual tardiness. His claim of touring the grounds prior to entering the building each day is not supported by any other interview, leadership, or data. Although gate entry scans were not conducted every day, 39 of the 119 days depict Mr. Hatley arriving late to work and not touring the grounds based on the building entry time thereafter. In addition, the days where his cell phone depicted he was not on the grounds remain unsupported by any comp documentation. Although it is not known if his supervisor (b)(6), (b)(7)c counseled him, he was informally counseled in 2018 on his time & attendance where (b)(6), (b)(7)c and the operations officer were aware, as well as four other staff members. Mr. Hatley does not recall the discussion. Multiple witnesses stated that he arrived late and departed early on most occasions. Once Mr. Hatley became aware unofficially in December (officially in January) of being investigated, he began reporting to work on time. When asked about the sudden change, he stated that upon (b)(6), (b)(7)c retirement he received a new supervisor, changing his roles with a focus on contractor oversight. Overall, no documentation can be produced to support his claims except an undated signed note from (b)(6), (b)(7)c authorizing him to work remotely. Even if (b)(6), (b)(7)c permitted Mr. Hatley to arrive late to work on multiple occasions, he took advantage of his supervisor and knowingly abused his work schedule. Annually, civilians are trained on time & attendance, as well as ethics, providing reinforcement of what's right and wrong.

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(3) Findings: GS-11 Gareth W. Hatley, Facility Analyst, MARFORRES, New Orleans, LA, habitually abused his authorized Compressed Work Schedule (4-10 Schedule) by arriving late for work (unexcused tardiness) and leaving work early without proper authorization (unauthorized absence) in violation of SECNAVINST 12752.1A, Enclosure 3, from 19 November 2018 to 19 November 2019. **SUBSTANTIATED**

c. Allegation #3: GS-11 Gareth W. Hatley, Facility Analyst, MARFORRES, New Orleans, LA, knowingly abused his sick leave in violation of ForO 12600.2, from 19 November 2018 to 19 November 2019.

(1) Findings of Fact.

(a) Per enclosure (3), during this period Mr. Hatley used 56 hours of sick leave in such a way as to extend a holiday or weekend, at times in conjunction with his RDO, which reference (f) identifies as potential abuse:

07 March	2019	10 hours	*in conjunction with annual leave Mardi Gras week
08 March	2019	10 hours	*in conjunction with annual leave Mardi Gras week
18 April	2019	10 hours	*in conjunction with 2 days annual leave & RDO
21 May	2019	04 hours	*with 6hrs annual leave/RDO
22 May	2019	04 hours	*with 6hrs annual leave
12 June	2019	04 hours	*with 6hrs annual leave
13 June	2019	04 hours	*with 6hrs annual leave/RDO
08 August	2019	10 hours	*in conjunction with annual leave & RDO

(b) Mr. Hatley was initially trained on civilian time & attendance during onboarding in 2013, trained on timecards and ethics in 2018, and additional annual training in 2019. [Encl (10), (11)]

(c) Mr. Hatley has maintained a low balance of both annual and sick leave, resulting in multiple requests for advance annual and sick leave in 2016, 2017, and 2018. Each request was in support of his daughter's medical condition and family matters in North Carolina. In addition, Mr. Hatley mentioned that he requested more time off because his daughter had a lot of health issues. [Encl (12), (28), (35)]

(d) During the week of Mardi Gras, Mr. Hatley's RDO was on Monday, 4 March 2019, administrative leave was provided by the command for Tuesday, 5 March, he took annual leave on Wednesday, 6 March 2019, and then took two full 10 hour days of sick leave on Thursday and Friday. [Encl (2), (3)]

(e) Per ref (f), it is at the discretion of the activity to approve sick leave and to evaluate the circumstances when considering (b)(6), (b)(7)c (b)(6), (b)(7)c was the approver for each sick leave request from Mr. Hatley. [Encl (19), (22), (25), (27), (33)]

(f) A reliable witness stated that quite often during daily morning meetings with (b)(6), (b)(7)c he overheard the incoming call from Mr.

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Hatley requesting time away from work. He felt (b)(6), (b)(7)c gave in kindness for weakness and that Hatley took advantage, thus abusing leave policy. [Encl (21)]

(g) Approximately February 2018, (b)(6), (b)(7)c researched Mr. Hatley's timecard issue with sick leave with (b)(6), (b)(7)c (b)(6), (b)(7)c to see what to do about inconsistencies in accountability. He then went to the (b)(6), (b)(7)c witnessing the conversation), for guidance on rectifying the situation and cleaning up the timecard. (b)(6), (b)(7)c recommended a counseling to Mr. Hatley about correcting his timecard (informal). (b)(6), (b)(7)c believes Mr. Hatley was taking advantage of (b)(6), (b)(7)c via advance sick leave. [Encl (20), (26)]

(h) (b)(6), (b)(7)c conducted an informal discussion with Mr. Hatley about correcting his time & attendance and about accountability. Both (b)(6), (b)(7)c (b)(6), (b)(7)c were aware of the discussion; Mr. Hatley stated he does not recall having the discussion and (b)(6), (b)(7)c was not his supervisor, so he could not counsel him. [Encl (15), (20), (21), (26), (27), (28), (37)]

(i) Research conducted by the Comptroller found no record of corrections on time & attendance during 2018. Since an advance of sick and annual leave was granted in 2018, any accrual of leave would automatically go to the government vice Mr. Hatley. [Encl (40)]

(j) In December 2019, (b)(6), (b)(7)c recused himself from the investigation due to the personal relationship with Mr. Hatley.

(2) Analysis: Mr. Hatley submitted his requests for sick leave to his supervisor (b)(6), (b)(7)c as required by policy. It is the supervisor's duty to ask for medical documentation if there is any belief in abuse of sick leave. Although some sick leave looked questionable as defined in reference (f), Mr. Hatley was never asked to provide medical documentation for his requests that were in conjunction to holidays and the like. It was known, by this point, of the ongoing medical condition of his daughter by (b)(6), (b)(7)c With the continual low balance of annual and sick leave, a perception existed that Mr. Hatley took advantage of his supervisor's kindness, but no evidence can be found to support this claim.

(3) Findings: GS-11 Garet W. Hatley, Facility Analyst, MARFORRES, New Orleans, LA, knowingly abused his sick leave in violation of ForO 12600.2, from 19 November 2018 to 19 November 2019. **UNSUBSTANTIATED**

3. Criminal or Regulatory Standards:

- a. 18 U.S. Code, §1001 (False Statements)
- b. SECNAVINST 12752.1A, Enclosure 3 (unauthorized absence)
- c. ForO 12600.2, Civilian Time and Attendance (abuse of sick leave)

4. Disposition: To be determined at a later date.

5. Recommendations: Approve this report and direct actions to correct/reform the below topics.

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Subj: MARINE FORCES RESERVE HOTLINE COMPLETION REPORT; MARFORRES CASE #22224

a. Topic #1: During the investigation, it was determined that a lack of staff accountability existed in Facilities. Civilian employees in Facilities were known to depart early without supervisory approval. The tardiness and early departures became a topic of concern when (b)(6), (b)(7)c was the Facilities Operations officer in early 2018, bringing the matter to the attention of (b)(6), (b)(7)c. In addition, (b)(6), (b)(7)c maintained performance, time & attendance, and leave approval responsibilities for numerous civilians that had mid-level supervisors, thereby creating an environment where one could easily take advantage. As an example, Mr. Hatley worked for (b)(6), (b)(7)c and then for (b)(6), (b)(7)c under Ops from an organizational change, yet (b)(6), (b)(7)c undermined their supervisory powers by maintaining the aforementioned responsibilities over Mr. Hatley. Recommend empowering mid-level supervisors with civilian management duties.

b. Topic #2: The Civilian Policy that was established and/or practiced in Facilities did not match that of the command. A majority of the civilians work a four-10 hour week and know that when traveling TAD your schedule reverts back to straight 8's, as stated in reference (g). Yet, as in Mr. Hatley's case, (b)(6), (b)(7)c permitted staff members to maintain their four-10 hour schedule in a TAD status. Although a Force Policy on Telework did not exist at the time, it was known that the Executive Director was the approving authority. The Facilities leadership created a process where each request for working remote required section heads to inform both the Deputy and Facility Operations. Additionally, section heads must get AC/S, Facilities approval when working remote more than one day at a time or 2 days in any given week. In Mr. Hatley's case, Facilities did not even follow their own guidance. (b)(6), (b)(7)c did not inform nor seek approval from (b)(6), (b)(7)c in which (b)(6), (b)(7)c states his billet is not eligible for telework. Recommend civilian management training specific to the above topics for all supervisors in Facilities.

c. Topic #3: Mr. Hatley's current duties do not coincide with his Position Description (PD), which could lead to multiple grievances if not updated. For example, he is responsible as the COR for a contract and supervises multiple contractors in his office, yet his PD does not mention supervising or managing a contract; he is responsible for multiple work sites and travel to other states for oversight, his PD does not mention travel; and he must be available 24 hours a day for emergencies, his PD does not speak to 24 hours availability nor on call. Recommend a review and update occur with his PD.

6. Other Matters: Mr. Hatley provided enclosures (41) and (42) to express his performance and character. Those interviewed who believe Mr. Hatley did abuse his time & attendance do not recommend that he be terminated since he was a hard worker and could be depended upon.

7. Security Classification: UNCLASSIFIED//FOUO

8. Location of Report: G-7, CIG, MARFORRES

9. Investigating Officer Conducting Report:

a. (b)(6), (b)(7)c

b. GS-13

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#22224

- c. Deputy, Command Inspector General
- d. Command Inspector General, Marine Forces Reserve
- e. (b)(6), (b)(7)c
- f. (b)(6), (b)(7)c

g. I certify that I have complied with the Quality Standards for  
Investigative Activities IAW DoD Instruction 7050.01.

(b)(6), (b)(7)c

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(b)(6), (b)(7)c  
Command Inspector General  
Marine Forces Reserve

(b)(6), (b)(7)c    ☒ Approved

☐ Disapproved

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